

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



**FILED**

04/14/23

11:15 AM

R1503010

April 14, 2023

**Agenda ID #21533**  
**Ratesetting**

TO PARTIES OF RECORD IN RULEMAKING 15-03-010:

This is the proposed decision of Administrative Law Judge Fogel. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's May 18, 2023 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at **[Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov)**.

/s/ MICHELLE COOKE

Michelle Cooke

Acting Chief Administrative Law Judge

MLC:mph

Attachment

Decision **PROPOSED DECISION OF ALJ FOGEL** (Mailed 4/14/2023)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Identify Disadvantaged Communities in the San Joaquin Valley and Analyze Economically Feasible Options to Increase Access to Affordable Energy in those Disadvantaged Communities.

Rulemaking 15-03-010

**DECISION APPROVING INTERVENOR COMPENSATION FOR LEADERSHIP COUNSEL FOR JUSTICE AND ACCOUNTABILITY****Summary**

This decision approves \$74,738.33 in intervenor compensation (plus interest) for Leadership Counsel for Justice and Accountability, a 25.8 percent reduction of the \$100,762.25 claimed.

**1. Background**

On March 26, 2015, the Commission opened Rulemaking (R.) 15-03-010 to identify disadvantaged communities (DACs) in the San Joaquin Valley (SJV) and analyze economically feasible options to increase access to affordable energy in those communities. The Commission approved several decisions in this now-closed proceeding. As part of Phase I of the proceeding, on May 11, 2017, the Commission adopted Decision (D.) 17-05-014, which identified 170 communities as eligible DACs under the definition provided in Public Utilities Code Section 783.5.2. Phase II of the proceeding was broken down into Track A and Track B. On August 23, 2018, the Commission adopted D.18-08-019, which

approved funding for a data gathering plan, as well as identifying nine more eligible SJV DACs, resolving Track B of Phase II. On December 13, 2018, the Commission adopted D.18-12-015, the Decision Approving San Joaquin Valley Disadvantaged Communities Pilot Projects. D.18-12-015, resolving Track A of Phase II.

Leadership Counsel for Justice and Accountability (LCJA), an intervenor in this proceeding, filed a claim for intervenor compensation on February 15, 2019, for work associated with D.18-08-019 and D.18-12-015. In total, LCJA requests \$100,762.25 in funding, broken down into the following categories:

- A. Data Gathering Plan Including Inclusion of Additional Communities
- B. Ensuring Consideration of Community Preference
- C. Outreach and Education to develop community's preference and facilitate community buy-in and participation
- D. Informing substance of the pilot projects
- E. Support for the CEN component of the pilot for successful pilots
- F. Convening an Economic Feasibility White Paper and Workshops must take a holistic view and fully consider non-energy benefits

On March 15, 2019, the Public Advocates Office of the California Public Utilities Commission (Cal Advocates) filed a response to the February 15, 2019 compensation claim filed by LCJA, and February 19, 2019 compensation claims filed by Center for Race, Poverty & the Environment (CRPE), and Self-Help Enterprises (SHE). LCJA, CRPE, and SHE filed comments and other documents collectively as "the Pilot Team" in this proceeding.

This decision resolves the claim filed by LCJA. As described in greater detail below, funding for all hours disallowed will be subtracted from the total request of \$100,762.25.

## 2. Eligible Intervenorors

The Intervenor Compensation Program, as enacted in Public Utilities Code Sections 1801-1812, requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's final decision. Section 1807 provides that the utility may adjust its rates to collect the amount awarded from its ratepayers.

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

- 1) The intervenor must satisfy certain procedural requirements, including the filing of a sufficient Notice of Intent to claim intervenor compensation within 30 days of the prehearing conference.
- 2) The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (Section 1802(b).)
- 3) The intervenor must file and serve a request for compensation award within 60 days of our final order or decision. (Section 1804(c).)
- 4) The intervenor must demonstrate significant financial hardship. (Sections 1802(h); 1804(b)(1).)
- 5) The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision. (Sections 1802(j), 1803(a).)
- 6) The claimed fees and costs are reasonable (Section 1801), necessary for and related to the substantial contribution (Section 1801.3(f)), comparable to the market rates (Section 1806) and productive. (Section 1801.3(b), (f).)

### 3. Response of Cal Advocates

In its response, Cal Advocates asserts that the Pilot Team organizations, including LCJA, do not appear eligible for intervenor compensation because the organizations collectively advocated for compensated roles as part of this proceeding. Cal Advocates points to decisions where the Commission interpreted customer status under Section 1802(b) to mean that intervenors that advocate for their own financial interests are not eligible for compensation, regardless of whether ratepayers may also benefit.<sup>1</sup>

In approving D.18-08-019, the Commission authorized a broad data gathering plan to collect information about demographics, energy usage, energy costs, housing conditions, environmental quality, and other issues facing residents in disadvantaged communities in the San Joaquin Valley.

Cal Advocates notes that, as part of the Pilot Team, LCJA advocated that the Commission designate SHE as a co-chair of the Data Plan Working Group created by D.18-08-019 and award SHE funding as part of the budget approved for the Data Gathering Plan.<sup>2</sup>

An Assigned Commissioner Ruling (ACR), issued on October 3, 2018, proposed that each community participating in a pilot project have “Community Energy Navigators” (CENs).<sup>3</sup> The CENs, according to the ACR, would be community members who would “help educate community members about existing energy program options” about the pilot projects. As noted in the ACR,

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<sup>1</sup> *Response of the Public Advocates Office to Intervenor Requests for Compensation, R.15-03-010, March 15, 2019 at 6.*

<sup>2</sup> *Id* at 7-8.

<sup>3</sup> *Assigned Commissioner’s Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley and Noticing All-Party Meeting, October 3, 2018, at 44.*

this proposal was based on a recommendation advanced by Pacific Gas and Electric Company (PG&E).<sup>4</sup>

Cal Advocates asserts that the Pilot Team advocated that the Commission should grant it (including SHE, LCJA, and CRPE) a key role in the implementation of pilot projects. Specifically, in opening comments on the ACR, the Pilot Team supported allocating funding for CENs.<sup>5</sup> In reply comments, the Pilot Team advocated that the Commission should designate it as a paid “Project Facilitator” for all pilots and provide funding for this role. The Pilot Team also advocated that the Commission combine the Project Facilitator role with the CEN concept and provide a budget of as much as \$100,000 per community for these combined roles.<sup>6</sup>

Cal Advocates also raised several specific line items in LCJA’s compensation claim as not being documented accurately (*e.g.*, hours for an *ex parte* meeting in the claim are more than the hours in the *ex parte* notice).

#### **4. Discussion and Analysis**

We award LCJA compensation, but not for the entire claim. In reaching this decision, we attempt to balance the following three principles of the Commission’s Intervenor Compensation Program:

- The statutory mandate to compensate organizations that represent residential customers in proceedings before the Commission and contribute in a meaningful way;
- The Commission’s goal of encouraging the participation of constituencies that have not participated previously in Commission proceedings; and,

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<sup>4</sup> *Ibid.* Cal Advocate’s Response at 9 erroneously states that the CENs concept was based on a proposal by SHE and LCJA.

<sup>5</sup> *Id* at 9.

<sup>6</sup> *Id* at 10.

- The expectations the Commission has outlined for intervenors filing compensation claims, including:
  - An intervenor funded by ratepayers should pursue single-mindedly the interest of the utility customers that it purportedly represents;<sup>7</sup> and
  - An intervenor's advocacy should not place it in the position of being more of a contractor or consultant than a customer.<sup>8</sup>

We applied the above principles to the following facts:

- LCJA satisfied all the procedural requirements necessary to make its request for compensation in this proceeding (*e.g.*, filing a Notice of Intent and claim in a timely manner);
- LCJA made a substantive contribution to the proceeding, including identifying the specific communities that would benefit from the pilots, what those pilot projects would entail and cost, and made considerable outreach to disadvantaged communities in the San Joaquin Valley, ensuring their participation;
- The Pilot Team, of which LCJA was a member, advocated that SHE be given compensated roles implementing the orders in this proceeding; and

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<sup>7</sup> See D.00-04-026 at 12. The Commission denied three intervenor compensation claims from Utility Design, Inc. (UDI), determining that UDI was acting more like a PG&E competitor, instead of representing PG&E residential customers.

<sup>8</sup> See D.07-06-023 at 8. "The record since developed in this proceeding and other Commission decisions indicates, however, that [SF Power Small Customer Aggregation Pilot Program (SCAPP)] is now an existing program that [San Francisco Community Power (SFCP)] implements under contract to PG&E. D.06-11-049 authorized PG&E to pay SFCP an additional \$650,000 for program implementation. SFCP benefited materially and directly from this portion of D.06-11-049. SFCP here acted in its own self-interest when it advocated for additional contract funding."

- SHE has been awarded two contracts, one as part of the data gathering plan (\$297,800)<sup>9</sup> and the other as part of the Community Energy Navigator Program (\$1.5 million).<sup>10</sup>

Finally, we consider the context in which these comments were submitted, including the workload this proceeding created for parties involved in it. In a normal proceeding, an intervenor may be asked to provide testimony, evidentiary exhibits and comments. This proceeding was much broader in scope, including numerous comment cycles and other filings in response to several ACRs, proposals submitted by the utilities, and proposed decisions, preparing prehearing or preworkshop statements and caseload management statements, along with participation in several workshops and public participation hearings.

At the center of the concerns raised by Cal Advocates are three filings of several produced by LCJA and/or the Pilot Team:

- Pilot Team Opening Comments on Proposed Decision Adopting Data Gathering Plan in San Joaquin Valley, August 13, 2018;
- Pilot Team Opening Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley, October 19, 2018; and
- Pilot Team Reply Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley, October 26, 2018.

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<sup>9</sup> In D.18-08-019, the Commission directed PG&E to include funding in its budget for the data gathering plan for SHE's role performing community outreach related to the data gathering effort. PG&E submitted Advice Letter 4031-G/5409-E, which the Commission approved in Resolution G-3550, and allocated \$297,800 to SHE for involvement in the data gathering effort.

<sup>10</sup> On September 16, 2019, the Commission's Energy Division notified the proceeding's Service List that it awarded the contract for the San Joaquin Valley Disadvantaged Communities - Community Energy Navigator Program Manager to Self Help Enterprises. D.18-12-015 authorized a \$1.5 million contract.

In the August 2018 comments, the Pilot Team asserted that “[s]hould the Commission agree to add SHE as a co-chair of the Working Group, it is reasonable for the currently proposed \$3 million budget for data collection to in part compensate SHE for such continued efforts.”<sup>11</sup>

In the October 2018 opening comments, the Pilot Team advocated for additional funding for the CEN Program<sup>12</sup> and expressed its interest in continued work in the community on these issues.<sup>13</sup>

In the October 2018 reply comments, the Pilot Team advocated for a compensated role as part of the proceeding and advocated itself as the entity best suited for outreach in the pilot communities, such as the following statements:

[T]he Pilot Team requests that the Commission designate and authorize funding for the Pilot Team to play two important roles during this phase: “Project Facilitator” and “Pilot Project Oversight Working Group Member.”

. . . The Project Facilitator will also assist families with determining their household’s choices where applicable, provide on-going education, answer residents’ questions, and assist with conflict resolution. This overlaps with the roles of the Community Energy Navigator (“CEN”). The Pilot Team therefore requests that the Commission combine these two roles for the Pilot Team members to lead. We acknowledge GRID’s request to be the CEN in the communities in which they are authorized as the

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<sup>11</sup> *Pilot Team Opening Comments on Proposed Decision Adopting Data Gathering Plan in San Joaquin Valley*, August 13, 2018 at 7.

<sup>12</sup> *Pilot Team Opening Comments on Assigned Commissioner’s Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley*, October 19, 2018 at 13. “The Pilot Team strongly supports this idea. We note, however, that this investment of \$100,000 be *in addition* to the per community budget identified in the ACR to ensure effective implementation of both the pilot projects and the CEN. In several communities, a \$100,000 cut out from the budget would have significant impacts and threaten the viability of the pilot to reach eligible customers.”

<sup>13</sup> *Id* at 17. “We recommend that the community may request a Pilot Team member work in conjunction with the identified administrator to administer the program in each community.”

administrator; however, the Pilot Team is better situated in terms of relationships with communities, language and cultural competence to lead this role and can certainly integrate GRID's, and other administrators' technical expertise. In addition, different types of projects require different CEN tasks, and budgets may vary per community. The earmark of \$100,000 may well be sufficient to account for fluctuating budgets, but the Commission should account for these differences that could require increased funding.<sup>14</sup>

The advocacy efforts contained in these specific filings raise doubts over whether LCJA single-mindedly pursued the interest of utility customers. If these statements were the Pilot Team's primary focus, or if these filings were the majority of the intervenor's filings in this proceeding, instead of three of many filings, the Commission likely would deny the entire claim, finding that because LCJA advocated for funding as part of the proceeding (and received it), LCJA is not eligible for intervenor compensation because it was representing the organization's interests, not residential customers.

However, when reviewing the many other filings prepared by LCJA and the Pilot Team, none of which advocate for compensated roles, nor can be seen as overtly attempting to influence the proceeding in a manner to ensure it would receive a contract, we are left with a different impression, one in which LCJA and the Pilot Team made a substantial contribution to this proceeding, successfully involving communities that normally do not interact with the Commission. That work merits at least some intervenor compensation.

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<sup>14</sup> *Pilot Team Reply Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley*, October 26, 2018 at 3.

Therefore, this decision disallows hours that appear to be related to work on the August 2018 comments, the October 2018 opening comments, and the October 2018 reply comments. These disallowances are summarized below.

- Amanda Monaco (1 hour) related to “Read and send edits to Data gathering comments” on August 13, 2018.
- Leslie Martinez (2 hours) related to “Read and send edits to Data gathering comments” on August 13, 2018.
- Phoebe Seaton (2.5 hours) related to “Read and send edits to Data gathering comments” on August 13, 2018.
- Leslie Martinez (1.5 hours) related to “Review ACR” on October 3, 2018.
- Leslie Martinez (0.5 hours) related to “Clal [sic] with Pg&e/SHE on moving forward with outreach on ACR” on October 4, 2018.
- Leslie Martinez (1 hour) related to “Call with IOU's/GRID and pilot team on ACR and outreach” on October 5, 2018.
- Phoebe Seaton (0.5 hours) related to “Pilot call – comments on ACR, outreach” on October 12, 2018.
- Phoebe Seaton (0.5 hours) related to “Review ACR” on October 12, 2018.
- Phoebe Seaton (1.5 hours) related to “Review ACR” on October 14, 2018.
- Phoebe Seaton (1.2 hours) related to “Review ACR and review Lanare Data” on October 15, 2018.
- Leslie Martinez (1 hour) related to “ACR comment review” on October 17, 2018.
- Phoebe Seaton (1.6 hours) related to “Draft Opening comments on ACR” on October 18, 2018.
- Leslie Martinez (3 hours) related to “ACR comments edits” on October 19, 2018.

- Phoebe Seaton (2.8 hours) related to “Draft Opening comments on ACR” on October 19, 2018.
- Phoebe Seaton (1.8 hours) related to “Review/edit reply comments re ACR” on October 24, 2018.
- Leslie Martinez (2 hours) related to “ACR comments edits” on October 25, 2018.
- Phoebe Seaton (1.5 hours) related to “Draft ACR reply comments” on October 25, 2018.

A second issue to examine is the CEN Program contract awarded to SHE. The Commission has denied intervenor compensation to entities that receive funding from utilities through grants, contracts and other sources.<sup>15</sup> However, we note that this contract was awarded to SHE well after LCJA filed its claim. Thus, other than the advocacy to receive this contract, an obvious conflict of interest is not apparent, though the Commission could find one in future intervenor compensation claims.

Finally, Cal Advocates raised the issue of whether LCJA should be compensated for travel to and participation in Commission business meetings, where comments by a party to an open proceeding are generally prohibited and where LCJA representatives made comments identifying themselves as members of the public rather than as representatives for LCJA.<sup>16</sup> The following LCJA hours appear to be attributed to Commission business meeting attendance or preparation for attendance:

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<sup>15</sup> For example, *see* D.18-11-10, in which the Commission denied intervenor compensation to the Clean Coalition. A significant reason for the denial included that Clean Coalition’s typical projects during the four years prior to its claim included work either funded through grants or compensated by renewable energy market participants, including PG&E, SCE and SDG&E, among others.

<sup>16</sup> Cal Advocate’s Response at 13-14.

- Leslie Martinez (3.5 hours participation and 1 hour of preparation) related to the November 8, 2018 Commission business meeting.<sup>17</sup>
- Leslie Martinez (2.5 hours) related to meeting and calling residents to prepare for the Commission business meeting on November 8, 2018.
- Phoebe Seaton (1.5 hours of undefined work) related to the “Public hearing for pilots” on November 8, 2018 which we presume refers to the November 8, 2018 Commission business meeting.
- Leslie Martinez (5 hours) related to discussing media strategy and communicating with residents to prepare for the December 13, 2018 Commission business meeting.
- Leslie Martinez (2 hours of participation and 8 hours of travel) related to the December 13, 2018 Commission business meeting.

This decision agrees with Cal Advocates that an intervenor should not be compensated for participation in a Commission business meeting where intervenor representatives are participating as individual members of the public rather than as intervenor representatives. These hours are disallowed.

To achieve the balance discussed at the beginning of this section, we award LCJA a significant portion of its claim, but reduce the amount of funding in some areas as outlined above to reflect disallowing the work that raises questions over LCJA’s representation of itself or residential customers.

Finally, we disallow certain hours related to *ex parte* meetings, travel, and intervenor compensation claim preparation. Regarding travel, the Commission does not compensate travel costs where the travel is less than 120 miles. The

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<sup>17</sup> The single hour of preparation claimed by Leslie Martinez relates to “meeting on 11/8/18” which we presume relates to the Commission business meeting of November 8, 2018.

following hours are disallowed as they are for travel to locations less than 120 miles from the LCJA office in Fresno, California.

- Leslie Martinez (1 hour) related to travel to La Vina, California on January 17, 2018.
- Erica Fernandez Zamora (2 hours) related to travel to Cantua Creek, California on March 20, 2018.
- Amanda Monaco (2 hours) related to travel to Lanare, California on April 7, 2018.
- Leslie Martinez (1 hour) related to travel to La Vina, California on April 18, 2018.
- Leslie Martinez (1 hour) related to travel to La Vina, California on May 3, 2018.
- Leslie Martinez (2 hours) related to travel to Le Grand, California on May 7, 2018.
- Leslie Martinez (1 hour) related to travel to La Vina, California on May 8, 2018.
- Leslie Martinez (3 hours) related to travel to Allensworth, California on May 15, 2018.
- Erica Fernandez Zamora (2 hours) related to travel to Cantua Creek, California on May 16, 2018.
- Leslie Martinez (2 hours) related to travel to Lanare, California on May 17, 2018.
- Leslie Martinez (1.5 hours) related to travel to Fairmead, California on May 17, 2018.
- Leslie Martinez (1.5 hours) related to travel to Fairmead, California on May 21, 2018.
- Leslie Martinez (2 hours) related to travel to Cantua Creek, California on May 22, 2018.
- Leslie Martinez (1.5 hours) related to travel to West Goshen, California on June 5, 2018.
- Leslie Martinez (1 hour) related to travel to La Vina, California on June 6, 2018.

- Leslie Martinez (2 hours) related to travel to Cantua Creek, California on September 12, 2018.
- Leslie Martinez (1 hour) related to travel to La Vina, California on October 2, 2018.
- Leslie Martinez (2 hours) related to travel to Lanare, California on October 16, 2018.
- Leslie Martinez (2 hours) related to travel to Seville, California on October 17, 2018.
- Leslie Martinez (1.5 hours) related to travel to Fairmead, California on October 22, 2018.
- Leslie Martinez (2 hours) related to travel to Lanare, California on October 24, 2018.
- Leslie Martinez (2 hours) related to travel to Cantua Creek, California on October 29, 2018.
- Jasmene Del Aguila (1 hour) related to travel to Fresno, California on November 1, 2018.

This decision also disallows 3.5 hours of time claimed by Michael Claiborne for attendance at a “CPUC accessibility meeting” on November 7, 2018 as this meeting was not related to the proceeding or decision at issue.

This decision disallows 0.3 hours related to an *ex parte* meeting attended by LCJA representative Phoebe Seaton October 3, 2018. The *ex parte* notice filed for that meeting indicates that the length of that meeting was 0.5 hours, as opposed to the 0.8 hours claimed on LCJA’s timesheet. This decision also disallows 1 hour related to *ex parte* meetings attended by LCJA representative Leslie Martinez on July 18 and July 23, 2018. The *ex parte* notices filed for these meetings indicate the meetings lasted for a total of 1 hour, as opposed to the 2 hours total claimed on LCJA’s timesheet.

Regarding intervenor compensation claim preparation, this decision finds that hours for that work should be reduced by 65 percent for all LCJA

representatives given the total number of hours claimed – 46.4 – was excessive, and because many of the references within the claim were erroneous, making the review and approval of this claim time consuming. As a result, only 16.25 hours for intervenor compensation claim preparation are compensated.

With the adjustments, discounts and disallowances, LCJA will be compensated \$74,738.33, a 25.8 percent reduction of the \$100,762.25 it claimed.

## **5. Comments on Proposed Decision**

The proposed decision of the ALJ in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on \_\_\_\_\_, and reply comments were filed on \_\_\_\_\_ by \_\_\_\_\_.

## **6. Assignment of Proceeding**

Alice Reynolds is the assigned Commissioner and Cathleen A. Fogel is the assigned ALJ in this proceeding.

## **Findings of Fact**

1. LCJA has made a substantial contribution to D.18-08-009 and D.18-12-015.
2. LCJA, through its part in the Pilot Team, advocated for compensation as part of this proceeding.
3. The requested hourly rates for LCJA's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
4. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
5. The total of amount reasonable compensation is \$74,738.33.

**Conclusions of Law**

The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

**O R D E R****IT IS ORDERED** that:

1. Leadership Counsel for Justice and Accountability is awarded \$74,738.33.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, and Southern California Gas Company shall pay the Leadership Counsel for Justice and Accountability their respective shares of the award, based on their California-jurisdictional electric and gas revenues for the 2018 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data are unavailable, the most recent electric and gas revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning on May 1, 2019, the 75th day after the filing of the Leadership Counsel for Justice and Accountability's request, and continuing until full payment is made.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.

## **APPENDIX A**

**APPENDIX A**

<b>Intervenor:</b> Leadership Counsel for Justice and Accountability	<b>For contribution to Decision (D.) 18-08-019 and D.18-12-015</b>
<b>Claimed:</b> \$100,762.25	<b>Awarded:</b> \$74,738.33
<b>Assigned Commissioner:</b> Alice Reynolds <sup>18</sup>	<b>Assigned ALJ:</b> Cathleen A. Fogel

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	Decision 18-08-019 approved a data gathering plan and adopted a process for updating the list of disadvantaged communities in the San Joaquin Valley. Decision 18-12-015 authorized energy pilot projects in eleven disadvantaged communities in the San Joaquin Valley.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812<sup>19</sup>:**

	<b>Intervenor</b>	<b>CPUC Verification</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference:	2/24/16	7/6/2015
2. Other specified date for NOI:		
3. Date NOI filed:	12/16/15	Verified
4. Was the NOI timely filed?		Yes
<b>Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):</b>		
5. Based on ALJ ruling issued in proceeding number:	R.15-03-010	Verified
6. Date of ALJ ruling:	October 18, 2016	Verified
7. Based on another CPUC determination (specify):		

<sup>18</sup> This proceeding was reassigned to President Alice Reynolds on March 21, 2022.

<sup>19</sup> All statutory references are to California Public Utilities Code unless indicated otherwise.

8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
<b>Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):</b>		
9. Based on ALJ ruling issued in proceeding number:	R.15-03-010	Verified
10. Date of ALJ ruling:	October 18, 2016	Verified
11. Based on another CPUC determination (specify):	The ALJ’s ruling in this proceeding on October 18, 2016, made a preliminary showing of significant financial hardship, but required a statement in a compensation claim regarding whether Leadership Counsel derives any income from attorneys fees to complete the showing. Leadership Counsel such a statement in its October 5, 2017 request for intervenor compensation, which was granted on January 11, 2018.	Verified
12. Has the Intervenor demonstrated significant financial hardship?		Yes
<b>Timely request for compensation (§ 1804(c)):</b>		
13. Identify Final Decision:	D.18-08-019; D.18-12-015	Verified
14. Date of issuance of Final Order or Decision:	8/23/18; 12/13/18	Verified
15. File date of compensation request:	2/15/19	Verified
16. Was the request for compensation timely?		Yes

**A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):**

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<p>the matrix of DACs, community outreach to assist with a determination if at least 25% of each community would qualify under the CARE program and therefore be an eligible DAC to be included as one of the communities for this program. We conducted significant outreach in La Vina, Fairmead, Cantua Creek, and Lanare, and supported the Pilot team in outreach and data gathering in the other 7 selected communities.</p> <p>Leadership Counsel, along with the Self Help Enterprises and other members of the Pilot Team, met with PG&amp;E and other parties to inform suggested data gathering methods for ensuring meaningful community voice in the data gathering process and to the Data Gathering Working Group.</p>		
<p>2a. Securing consideration of community support / community preference for pilot projects.</p> <p>Community Support was laid out as a leading indicator of which Community Pilots should move forward. <i>Revised Joint Statement of (the Pilot Team) Attachment B, August 11, 2017, Page 12</i></p> <p>Two of the agreed upon drivers for determining pilots included diversity of the pilot cohort based on a variety of metrics, and community support to engage in the pilot.</p>	<p>Community Support and Capacity. a. What mechanisms should be included in the approval/implementation process to ensure the pilot projects to be implemented are supported by the communities that the project will be located within? <i>Assigned Commissioner's Scoping Memorandum and Ruling, Attachment B, page 1; December, 6, 2017</i></p> <p>"However, in response to comments filed by the Pilot Team and SoCalGas we provide SoCalGas an opportunity to replace the approved electrification project(s) with its proposed natural gas project under specific conditions" <i>Decision 18-12-015 December 13, 2018 Page 61</i></p>	<p>Verified</p> <p>Verified</p>

<p><i>-Case Management Statement of (the Pilot Team) September 20, 2017, Page 8</i></p> <p>The Pilot Team has and still maintains that community support and buy-in will drive the accuracy of data collection efforts.</p> <p><i>Pilot Team opening Comments in response to questions in attachment B of Scoping Memo,</i></p> <p><i>Pg7.</i></p>	<p>“Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare’s clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project. The Pilot Team’s comments supported electrifying Alpaugh as well, so that all households in the community could be served.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 84</i></p> <p>We therefore approve the CEP Team’s proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 64</i></p>	<p>Verified</p> <p>Verified</p>
<p>3a. Outreach and Education to inform community’s preference and facilitate community buy-in</p> <p>Leadership Counsel attended Community Energy Option Assessment Workshops, ensured participation in workshops, ensured delivery of adequate information regarding the process and developed a process for residents to ask questions, give feedback, and discuss as a community the different projects.</p> <p>Leadership Counsel created and administered surveys after all Community Energy Option Assessment workshops.</p> <p>“As the Pilot Team is just embarking on education and</p>	<p>“However, in response to comments filed by the Pilot Team and SoCalGas we provide SoCalGas an opportunity to replace the approved electrification project(s) with its proposed natural gas project under specific conditions”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 61</i></p> <p>“PG&amp;E and the Pilot Team conducted separate community meetings in Allensworth and Seville to obtain recommendation for either a natural gas extension or electrification pilot option. Although the results provided by PG&amp;E in its November 7, 2018 filing and reported by Self Help Enterprises at the November 7, 2018 PPH both show a majority of community members preferred natural gas extensions in both communities, a significant number of community members expressed either a preference for the community solar, electrification option, or willingness to</p>	<p>Verified, but this specific contribution has already been mentioned above.</p> <p>Verified, but references are incorrect. Language was found on page 60, footnote 82.</p>

<p>outreach regarding these updated proposals, we are not in the position to currently and adequately comment on community preference for the tiered offerings from the CEP Team and PG&amp;E. The Pilot Team will comment further at reply, and also when we file summaries of each continued education meeting.”</p> <p><i>Pilot Team Comments on Updated Pilot Proposals October 8, 2018, Page 11</i></p> <p>We therefore echo GRID’s assertion that in keeping with the Commissioner’s stated pilot goal that “each selected pilot projects supported by the host community,” the ACR should be modified to account for Lanare’s community preference.</p> <p><i>Pilot team Reply Comments to ACR 10/26/2018 Pages 6-7</i></p> <p>“Nevertheless, it is important to this process that the community be involved. It is certainly possible that their preferred project may not be adopted, but this does not mean that the community should not be consulted. “</p> <p><i>Pilot Team Reply Comments to ACR, 10/26/18 Page 28</i></p> <p>“Additionally, the Pilot Team has led two workshops with the Commission and one voting meeting with follow up efforts prior to the November 1 and November 7 public participation hearings. “</p>	<p>accept either option. Late on November 7, 2018 the Pilot Team also filed the Pilot Team Filing of Residential Recommendations Pursuant to the Assigned Commissioner’s Ruling, providing additional information on community household recommendations documenting the results reported at the PPH earlier in the day. ”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 60 (footnote 80)</i></p> <p>“In these small communities, we find that it is inappropriate for this pilot to only serve a subset of eligible households currently dependent on propane or wood. Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare’s clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project. The Pilot Team’s comments supported electrifying Alpaugh as well, so that all households in the community could be served. We therefore approve the CEP Team’s proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 64</i></p> <p>“After carefully considering all factors, especially these two communities’ support for natural gas pilots and the objective of providing clean affordable energy to SJV DACs, we find that if SoCalGas can secure the funding gap for the communities of Allensworth and Seville in the immediate future the natural gas option will provide significant benefits and additional information to inform the overall</p>	<p>Verified</p> <p>Verified</p> <p>Verified, but this specific contribution has already been mentioned above.</p>
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<p><i>Pilot Team Reply Comments to ACR, 10/26/18</i> <i>Page, 29</i></p> <p>“As the Pilot Team is just embarking on education and outreach regarding these updated proposals, we are not in the position to currently and adequately comment on community preference for the tiered offerings from the CEP Team and PG&amp;E. The Pilot Team will comment further at reply, and also when we file summaries of each continued education meeting.”</p> <p><i>Pilot Team Opening Comments on Updated Pilot Proposals</i> <i>Oct. 8, 2018 , Page 11</i></p>	<p>economic feasibility study to be conducted in Phase III of the proceeding.” <i>Decision 18-12-015 December 13, 2018, Page 61</i></p> <p>“Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare’s clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project We therefore approve the CEP Team’s proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection.” <i>Decision 18-12-015 December 13, 2018, Page 64</i></p> <p>“PG&amp;E and the Pilot Team conducted separate community meetings in Allensworth and Seville to obtain recommendation for either a natural gas extension or electrification pilot option. Although the results provided by PG&amp;E in its November 7, 2018 filing and reported by Self Help Enterprises at the November 7, 2018 PPH both show a majority of community members preferred natural gas extensions in both communities, a significant number of community members expressed either a preference for the community solar, electrification option, or willingness to accept either option. Late on November 7, 2018 the Pilot Team also filed the Pilot Team Filing of Residential Recommendations Pursuant to the Assigned Commissioner’s Ruling, providing additional information on community household recommendations documenting the results reported at the PPH earlier in the day. ”</p>	<p>Verified, but this specific contribution has already been mentioned above.</p>
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	<i>Decision 18-12-015 December 13, 2018, Page 60(footnote 80)</i>	
<p>4a: Informing Substance of the Pilots</p> <p><u>Ensuring community-wide benefits</u></p> <p>Allowing all residents in an identified pilot community to participate in a pilot will capture such psychological benefits in the pilot community. Only serving a few in the community will contribute to further long-term inequities, undermine realization of community-wide benefits, challenge social cohesion and threaten project success”</p> <p><i>Pilot Team Opening Comments on Updated Pilot Proposals, Oct. 2 2018, Page 8</i></p>	<p>“In these small communities, we find that it is inappropriate for this pilot to only serve a subset of eligible households currently dependent on propane or wood. Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare’s clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project. The Pilot Team’s comments supported electrifying Alpaugh as well, so that all households in the community could be served.</p> <p>We therefore approve the CEP Team’s proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 64</i></p>	Verified, but this specific contribution has already been mentioned above.
<p>4b: Informing Substance of the Pilots</p> <p><u>Income eligibility requirements will reduce participation</u></p> <p>“As community members noted in comments to the Barriers Study, current CARE/FERA thresholds for low-income determinations cut off many residents – the working poor who do not have access to affordable energy – and should be higher.”</p> <p><i>Pilot Team Opening Comments on Updated Pilot Proposals Oct. 8, 2018, Page 3</i></p>	<p>3b. “The pilot communities are very poor communities where, on a weighted-average basis, eighty-five percent of households currently qualify for CARE, and, on a simple average basis, seventy-nine percent qualify for CARE. It is reasonable to conclude, based on the CEC Barriers study and comments from the Pilot Team and Greenlining, that applying income eligibility requirements in all pilot communities would inhibit residents’ participation in the pilot, which is counter to the objective of the pilot. The pilots should test this conclusion while not triggering the undesired result.</p>	Verified
<p>4c: Informing Substance of the Pilots</p> <p><u>Cost sharing will reduce participation</u></p>	<p>Therefore, we believe that a multi-pronged approach to the eligibility question is reasonable. We make several</p>	Verified

<p>“The Pilot Team cautions, however, that the “cost-sharing” methodologies proposed may reduce community participation.” - <i>Pilot Team Opening Comments on Updated Pilot Proposals Oct 8, 2018, Page 2</i></p> <p>4d: Informing Substance of the Pilots <u>4d. Socialization of project costs</u></p> <p>“Moreover, full socialization of project costs is appropriate to address decades of lack of service and the disproportionate siting of benefits.” <i>Pilot Team Comments on Updated Pilot Proposals Oct.8, 2018, Page 6</i></p> <p>“Nevertheless, if the Commission must adopt a cost-sharing approach with participating residents, as noted above, it should also adopt a specific definition of low-income in order to adequately serve the populations at hand that simply do not have access to affordable energy. “ <i>Pilot Team Comments on Updated Proposals Oct. 8, 2018 Page, 13</i></p>	<p>changes in response to party comments on the PD (see Section 19). First, we decline to adopt any income eligibility requirements for all but the four communities projected to have between 60% - 74% CARE-eligible households, and for the larger community of California City, where not all households lacking natural gas will be served. Access to fully-subsidized appliances in the pilots in Allensworth, Alpaugh, California City, Fairmead and Le Grand will be limited to households with incomes of up to 400% of FPG. This approach matches that in place for PG&amp;E’s MIDI program, as set forth in the CEP Team’s pilot proposal, and is reasonable. For all other communities, (Cantua Creek, Ducor, Lanare, La Vina, Seville, and West Goshen), all households may participate in the pilot and receive fully-subsidized appliance upgrades.” <i>Decision 18-12-015 December 13, 2018, Pages 72-73</i></p> <p><u>4c - Cost Sharing</u> “Fourth, we decline to require “co-pays” of any eligible and participating households during the pilot period. Instead, we direct all PAs to test the supposition that requiring co-payments for households exceeding CARE/FERA income thresholds would inhibit these households’ participation in program(s) emerging from this proceeding.” <i>Decision 18-12-015 December 13, 2018, Page 74</i></p> <p><u>4d: Socialization of project costs</u> “AB 2672 directs the Commission to explore ways to ensure affordable energy options to residents of the SJV DACs as defined in the statute. AB2672 recognizes the multiple burdens placed</p>	<p>Verified</p> <p>Language Verified, but not discussed or written as a contribution from intervenor.</p> <p>Verified</p>
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	<p>on households in the most disadvantaged communities, including pollution loads and social vulnerability factors. Notably, AB 2672 does not limit its scope to only those households that qualify as low-income. “  <i>Decision 18-12-015 December 13, 2018, Page 72</i></p> <p>“It is reasonable to conclude, based on the CEC Barriers study and comments from the Pilot Team and Greenlining, that applying income eligibility requirements in all pilot communities would inhibit residents’ participation in the pilot, which is counter to the objective of the pilot. The pilots should test this conclusion while not triggering the undesired result. “  <i>Decision 18-12-015 December 13, 2018, Page 72</i></p> <p>“First, we decline to adopt any income eligibility requirements for all but the four communities projected to have between 60% - 74% CARE-eligible households, and for the larger community of California City, where not all households lacking natural gas will be served. Access to fully-subsidized appliances in the pilots in Allensworth, Alpaugh, California City, Fairmead and Le Grand will be limited to households with incomes of up to 400% of FPG.”  <i>Decision 18-12-015 December 13, 2018, Page 73</i></p> <p>“We agree that, for the pilots, a reasonable method is needed to address cost uncertainties and avoid a sudden halt to work in any home or community. Unanticipated delays or work stoppage would undermine the pilot’s success and community trust.”</p>	<p>Verified</p> <p>Language Verified, but not discussed or written as a contribution from intervenor.</p> <p>Language Verified but references are incorrect. Language was found on page 84. Additionally, this section was not discussed or written as a contribution from intervenor.</p>
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	<p><i>Decision 18-12-015 December 13, 2018, Page 121</i></p> <p>“Within 90 days of the issuance of this decision, we direct SCE, SoCalGas and PG&amp;E to develop and include in a joint Tier 1 Cost Sharing Advice Letter a co-funding agreement that specifies the cost-sharing scheme for the CPM and CEN activities. Specifically, the agreement should propose a process that provides safeguards to ensure that funding from one utility may not be used to pay for CPM or CEN activities in a different utility’s service territory. PG&amp;E, SoCalGas and SCE, in their joint Advice Letter are required to identify a mechanism to ensure that this cross-subsidization will not occur.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 76</i></p> <p>“It is reasonable that the IOUs recover pilot costs via PPP surcharges. We direct SCE, SoCalGas and PG&amp;E to file a Tier 1 advice letter within 45 days from issuance of this decision to establish one-way balancing accounts to track the non-leveraged costs of pilot projects against the costs and budget as approved in this decision over a period of three years using the appropriate rate design methodology approved for recovery of its non-CARE Public Purpose Program costs. Recovery shall take place over a three-year period. PG&amp;E and SCE shall treat all pilot costs as expenses.”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 119</i></p>	Language Verified, but not discussed or written as a contribution from intervenor.
4e. Informing Substance of the Pilots	<p>4e <u>Ensuring that participating households experience energy cost savings.</u></p> <p>“We agree with parties that ensuring energy cost savings and affordability for</p>	Verified

<p><u>Ensuring that participating households experience energy cost savings.</u></p> <p>“...to assess their impact as part of an overall affordable energy solution, we again stress that such an approach requires an accompanying bill guarantee should such testing reveal complications or unintended bill impacts.”</p> <p><i>Pilot Team Opening Comments on Updated Pilot Proposals Oct. 8, 2018, Page 17</i></p> <p>“As such, it is imperative to both obtain the support of the community for any authorized pilot project and not cut cost corners for the sake of an adequate evaluation of affordable energy options.”</p> <p><i>Pilot Team Opening Comments on Updated Proposals, October 8, 2018, Page 20</i></p> <p>“The most important factor for residents participating in this pilot is ensuring there are noticeable savings compared to relying on propane”</p> <p><i>Pilot Team ACR Reply Comments 10/26/18, Page 16</i></p> <p>4f. Informing Substance of the Pilots</p> <p><u>Importance of Securing Bill Savings</u></p> <p>Without significant bill savings, these benefits might not be realized, and participants could suffer</p>	<p>participating households is one of two central objectives for the pilots, as stated above. As opposed to bill savings, energy cost savings consider all pre- and post- pilot energy costs, including propane and wood costs to the extent feasible, as well as electric and natural gas bills.</p> <p>The proposal presentations should explain the data, modeling and assumptions used to develop proposals and emphasize how the approach minimizes administrative barriers and undue burden for pilot participants while providing reliable protection against energy cost increases. Within 45 days of the workshop, the IOUs shall provide details on their planned approach to ensuring pilot participants’ energy cost savings by including their resulting planned bill protections/affordability elements, complete with models and workpapers, in Tier 2 Bill Protection and Affordability Advice Letters.” <i>Decision 18-12-015 December 13, 2018, Page 77-78</i></p> <p>4f. <u>Importance of Securing Bill Savings</u></p> <p>The Pilot Team and Greenlining supported both the CEP Team’s and the ACR’s proposals because it would ensure that the central objective of providing energy cost savings to participating households is achieved <i>Decision 18-12-015 December 13, 2018, Page 76</i></p> <p>“We concur with the broader group of parties that this topic would benefit from an in-depth workshop discussion. We therefore direct PG&amp;E, SCE and SoCalGas to collaborate with</p>	<p>Verified</p> <p>Verified</p> <p>Language Verified, but not discussed or written as a contribution from intervenor. Intervenor not mentioned in the “group of parties.”</p> <p>Verified</p>
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<p>greater disadvantages by facing higher energy costs than before pilot implementation, defeating the purpose of AB 2672.  <i>Pilot Team ACR Reply Comments 10/26/18 , Page 16</i></p> <p>“Bill discounts are also a crucial part of preventing bill increases, which would seriously impact the feasibility analysis. Therefore, the bill discounts should be implemented in order to enable the Commission to assess their impacts and scalability during Phase III”  <i>Pilot Team Reply comments to ACR October 26, 2018, Page 26</i></p> <p>“As much as pilot participants may benefit by receiving new equipment, they also bear the subsequent, and potentially high, risk of paying more for the energy that they use.</p> <p>Customers may receive equipment, such as heat pump water heaters, which rely on new control techniques and technology.<sup>14</sup> Such devices may require maintenance by technicians who are not yet available locally, creating substantial costs and inconveniences. Such new technologies generate variable and as-yet uncertain price savings. Moreover, the expected rebound effect for households that receive total electrification packages is still unknown. It is important to</p>	<p>Commission staff to notice, host and facilitate a workshop to discuss bill protection approaches by no later than forty-five (45) days from issuance of this decision.”  <i>Decision 18-12-015 December 13, 2018, Page 78</i></p> <p>“The IOUs shall also provide the quarterly bill data summaries to the Low-Income Oversight Board and the Commission’s Disadvantaged Communities Advisory Group and provide presentations on the data to these groups as requested. We provide further guidance on the role of Community Energy Navigators on this topic in Section 11.3.</p> <p>To ensure that anticipated bill protection costs are accounted for, we approve up to \$500 in costs for each household receiving appliance upgrades.”  <i>Decision 18-12-015 December 13, 2018, Page 79</i></p>	<p>Verified, but references are incorrect. Contribution was found on page 80.</p>
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<p>consider that many homes will be taking on the new and added cost of “home heating.” Community questionnaires completed by residents in the pilot communities show that at least half of residents in some communities do not have or do not use wall heaters or forced air heating, and instead use space heaters to heat just one room in the home or burn wood for heat; therefore adding this appliance can result in new, added, and un-studied energy costs.” <i>Pilot Team Comments on PD, 12/04/2018 Page 5</i></p> <p>4g. Informing Substance of the Pilots <u>Funding for households to support necessary retrofits</u></p> <p>“By capping the amount of funds that can be spent on the communities, and thus on individual dwellings, the proposal excludes households that have the highest needs.” <i>Pilot Team Opening Comments Oct. 8, 2018, Page 7</i></p> <p>“...since the households in the greatest state of disrepair are likely those in most need of service and should not be excluded from taking full advantage of this project. Excluding the most disadvantaged households would run counter to the central mandate of AB 2672 of tackling the historical inequalities San Joaquin Valley</p>		<p>Verified, but references are incorrect. Contribution was found on page 99.</p>
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<p>communities have been burdened with for decades”  <i>Pilot Team Reply Comments on ACR 10/26/18, page 17</i></p> <p>4h. Informing Substance of the Pilots  <u>Ensuring that projects reflect community preference</u>          “In the case of Lanare, however, the ACR excludes from consideration a pilot type that has received overwhelming community support – Community Solar. Both the Lanare Community Service District and Community United in Lanare sent the Commission letters of support for the GRID project proposal and community members who have attended numerous meetings on the matter confirm community consensus in support of a community solar project.  <i>Pilot team ACR Opening Comments 10/22/2018, pg 4-5</i></p> <p>“We therefore echo GRID’s assertion that in keeping with the Commissioner’s stated pilot goal that “each selected pilot projects supported by the host community,” the ACR should be modified to account for Lanare’s community preference.  <i>Pilot team ACR Reply Comments 10/26/2018 Page 6-7</i></p> <p>“Finally, the Pilot Team again emphasizes the importance of community preference. As the</p>	<p><u>4g. Funding for households to support necessary retrofits</u></p> <p>“An important learning of the pilot will be if our reasonable, adopted household cap on remediation costs of \$5,000 results in exclusion from the pilot of a significant number of homes. If found to be true, the Commission may need to step back and take a fuller account of additional options to fulfill the mandate of AB 2672 in Phase III.”  <i>Decision 18-12-015 December 13, 2018, Page 88</i></p> <p>“We appreciate the IOUs’ and the CEP Team’s clarity regarding the likely condition of homes in the pilot communities and the resulting challenges. It is unreasonable, however, for the pilot project to use ratepayer funds to address “extensive home repair/dilapidation,” to undertake remediation work valued at a level that exceeds the value of the home, or to undertake a complete rewiring of a home. We explicitly require that PAs will not utilize approved pilot project funding for these purposes. Further, we direct PAs to limit remediation activities or structural repairs to minor or moderately impaired homes and to cap remediation spending for structural repairs at \$5,000 per home (excluding funds used for electric panel upgrades, rewiring or to address combustion appliance safety requirements)”.  <i>Decision 18-12-015 December 13, 2018, Page 88a</i></p> <p><u>4h - Projects that reflect community preference</u></p>	<p>Language Verified, but references are incorrect, language was found on page 98. Additionally, this was not discussed or written as a contribution from intervenor.</p> <p>Language Verified, but references are incorrect. Contribution was found on page 60-61.</p> <p>Verified, but this specific contribution has already been mentioned above.</p>
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<p>PD recognized, the majority of community members in both Allensworth and Seville expressed a desire for natural gas. Providing a natural gas option to at least one of those communities, in particular after the effort that residents have spent attending workshops and completing questionnaires and ballots supporting this outcome, will preserve the established trust in this proceeding and encourage ongoing participation. “<i>Pilot Team Opening Comments on Proposed Decision November 29, 2018. Pg. 13</i></p> <p>4i. Informing Substance of the Pilots</p> <p><u>Ensuring service of all households without gas in Lanare and Alpaugh</u></p> <p>“Several homes in Lanare and Alpaugh that rely on propane or wood for heating are not included in the PD. The PD limits the amount of homes that may participate in the natural gas extension component of the pilot in Alpaugh and Lanare. The PD approves SoCal Gas’s proposal of solely treating 8 homes in Lanare and 6 in Alpaugh, as the remainder of the homes without natural gas are too costly to be connected to the natural gas infrastructure. This will leave at least 7-9 homes in Lanare and 40 in Alpaugh reliant on propane and wood</p>	<p>“However, in response to comments filed by the Pilot Team and SoCalGas we provide SoCalGas an opportunity to replace the approved electrification project(s) with its proposed natural gas project under specific conditions.”  <i>Decision 18-12-015 December 13, 2018, Pages 54, 55</i></p> <p>“PG&amp;E and the Pilot Team conducted separate community meetings in Allensworth and Seville to obtain recommendation for either a natural gas extension or electrification pilot option. Although the results provided by PG&amp;E in its November 7, 2018 filing and reported by Self Help Enterprises at the November 7, 2018 PPH both show a majority of community members preferred natural gas extensions in both communities, a significant number of community members expressed either a preference for the community solar, electrification option, or willingness to accept either option. We have considered the community recommendations and weighed it along with other critical factors such as California GHG emission reduction policies, costs, and ensuring that the energy option implemented via the pilots will provide clean affordable energy over the long term. Late on November 7, 2018 the Pilot Team also filed the Pilot Team Filing of Residential Recommendations Pursuant to the Assigned Commissioner’s Ruling, providing additional information on community household recommendations documenting the results reported at the PPH earlier in the day.”  <i>Decision 18-12-015 December 13, 2018, Page 55 Footnotes 26, 27</i></p>	<p>Verified, but this specific contribution has already been mentioned above.</p> <p>Verified, but this specific contribution has already been mentioned above.</p>
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<p>burning. SoCalGas' proposals for Alpaugh and Lanare also suggest that the households who may not participate in the natural gas portion of the pilot be eligible for electrification efforts. Additionally, the Approved Pilot Budget in the PD incorrectly lists the costs for the gas pilots for treating 15 homes in Lanare and 46 in Alpaugh. The current budgets presented by SoCal Gas do not account for the electrification costs of the remaining homes, leaving several homes in each community reliant on propane. In Lanare, we could potentially see upwards of 15 homes without access to affordable energy. The PD presents only a partial solution that will yield partial data pursuant to AB 2672.</p> <p>Accordingly, we recommend that full electrification and eligibility for bill protections associated with DAC-CS and DAC-GT are available to each household in Lanare and Alpaugh and that revised budgets should reflect that change."</p> <p><i>Pilot Team Opening Comments on Proposed Decision 11/29/2018, Page 7-8</i></p>	<p>"After carefully considering all factors, especially these two communities' support for natural gas pilots and the objective of providing clean affordable energy to SJV DACs, we find that if SoCalGas can secure the funding gap for the communities of Allensworth and Seville in the immediate future the natural gas option will provide significant benefits and additional information to inform the overall economic feasibility study to be conducted in Phase III of the proceeding."</p> <p><i>Decision 18-12-015 December 13, 2018, Page 61</i></p> <p>"Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare's clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project</p> <p>We therefore approve the CEP Team's proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection."</p> <p><i>Decision 18-12-015 December 13, 2018, Page 64</i></p> <p><u>4i. Ensuring service of all households without gas in Lanare and Alpaugh</u></p> <p>"SoCalGas's Updated Proposal for Alpaugh and Lanare only sought to extend gas lines to the households with low costs and would not provide service to some 40 households in Alpaugh and seven to nine households in Lanare that currently lack natural gas. In these small communities, we find that it is inappropriate for this pilot to only serve a subset of eligible households currently</p>	<p>Verified, but references are incorrect. Contribution was found on page 63-64.</p>
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	<p>dependent on propane or wood. Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare's clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project. The Pilot Team's comments supported electrifying Alpaugh as well, so that all households in the community could be served.</p> <p>We therefore approve the CEP Team's proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection."</p> <p><i>Decision 18-12-015 December 13, 2018, Pages 57, 58</i></p>	
<p>5a. Support for the CEN component of the pilot for successful pilots</p> <p>"The Pilot Team sees value in the CEN approach, if deployed in conjunction with an affordable energy pilot. It is unclear how the CEN approach itself, in isolation, would deliver an "affordable energy" option pursuant to AB 2672"</p> <p><i>Pilot Team Opening Comments on Updated Pilot Proposals Comments Oct. 8, 2018, Page 11</i></p> <p>"Successful, and trusted, outreach can inform residents about the existence of the pilot, how to participate in the pilot, how to use electric appliances to maximize energy efficiency, and how to sign up for bill-reduction programs"</p>	<p>"The Pilot Team also expressed support for the \$100,000 per community budget allocation. "</p> <p><i>Decision 18-12-015 December 13, 2018, Page 80</i></p> <p>"We recognize that the CEN component will be key to the success of the pilot and we direct all pilot administrators and the third-party PA/PI to offer this service in all pilot communities"</p> <p><i>Decision 18-12-015 December 13, 2018, Page 81</i></p>	<p>Verified, but Decision did not adopt Intervenor's recommendation at \$100,000.</p> <p>Verified</p>

<p><i>Pilot Team Opening Comments on Updated Pilot Proposals Comments Oct 8, 2018 , Page 17</i></p> <p>The Pilot Team’s recent work in Lanare, identifying additional homes that do not receive natural gas service, evidences the team members’ ability to successfully meet the project facilitator role and ensure adequate community wide service.</p> <p><i>Pilot Team Comments ACR 10/26/18, Page 15</i></p>		
<p>6a. Convening an Economic Feasibility White Paper and Workshops must take a holistic view and fully consider non-energy benefits.</p> <p>“We are pleased that each of the pilot project proponents proposes to collect and evaluate both quantitative and qualitative data, which is crucial for a complete understanding of the costs and benefits of the pilot projects.<sup>54</sup> However, we request that the project proponents affirmatively recognize a wider range of non-energy benefits (“NEBs”)”</p> <p><i>Pilot Team Opening Comments on Updated Proposals on Oct. 8, 2018, Page 18</i></p>	<p>“We therefore decline to establish a dedicated EFF Working Group at this time. Instead, we direct SCE to issue an RFP for a contract with an expert technical entity to develop recommendations related to an Economic Feasibility Framework for this proceeding. Energy Division staff will draft the Scope of Work and substantively oversee the contract, with the utility serving as the contracting/fiscal agent. The contracted expert entity should be highly knowledgeable about existing Commission cost-effectiveness tests and processes. Division staff will serve a proposed Scope of Work to the service list of R.15-03-010 and consider informal party input prior to releasing an RFP”</p> <p><i>Decision 18-12-015 December 13, 2018, Page 139</i></p> <p>“5. Does the ESA Program proceeding NEB’s Study provide a model for treatment of NEBs in R.15-03-010, with or without modifications? What are other options for qualitative or non-energy benefits to be considered in the</p>	<p>Verified</p> <p>Verified</p>

	<p>proposed test(s), and the pros and cons of various approaches, including data availability?”  <i>Decision 18-12-015 December 13, 2018, Page 140</i></p> <p>“Greenlining and the Pilot Team also supported an EFF working group, stressing the need to take a holistic view and give full consideration to qualitative, or non-energy benefits (NEBs), particularly participant NEBs.”  <i>Decision 18-12-015 December 13, 2018, Page 137</i></p>	Verified
<p>7. Ensure that community residents understood the avenues to engage in the proceeding.</p> <p>We therefore echo GRID’s assertion that in keeping with the Commissioner’s stated pilot goal that “each selected pilot projects supported by the host community,” the ACR should be modified to account for Lanare’s community preference.  <i>Pilot team ACR Reply Comments 10/26/2018, Page 15</i></p> <p>“Nevertheless, it is important to this process that the community be involved. It is certainly possible that their preferred project may not be adopted, but this does not mean that the community should not be consulted. “  <i>ACR Reply Comments 10/26/18</i></p> <p>“Additionally, the Pilot Team has led two workshops with the</p>	<p>“PG&amp;E and the Pilot Team conducted separate community meetings in Allensworth and Seville to obtain recommendation for either a natural gas extension or electrification pilot option. Although the results provided by PG&amp;E in its November 7, 2018 filing and reported by Self Help Enterprises at the November 7, 2018 PPH both show a majority of community members preferred natural gas extensions in both communities, a significant number of community members expressed either a preference for the community solar, electrification option, or willingness to accept either option. Late on November 7, 2018 the Pilot Team also filed the Pilot Team Filing of Residential Recommendations Pursuant to the Assigned Commissioner’s Ruling, providing additional information on community household recommendations documenting the results reported at the PPH earlier in the day. ”  <i>Decision 18-12-015 December 13, 2018, Page 60 (footnote 80)</i></p> <p>“After carefully considering all factors, especially these two communities’ support for natural gas pilots and the objective of providing clean affordable</p>	<p>Verified, but this specific contribution has already been mentioned above.</p> <p>Verified, but this specific contribution has already been mentioned above.</p>

Commission and one voting meeting with follow up efforts prior to the November 1 and November 7 public participation hearings. “ <i>ACR Reply Comments 10/26/18, Page 29</i> ”	<p>energy to SJV DACs, we find that if SoCalGas can secure the funding gap for the communities of Allensworth and Seville in the immediate future the natural gas option will provide significant benefits and additional information to inform the overall economic feasibility study to be conducted in Phase III of the proceeding.”  <i>Decision 18-12-015 December 13, 2018, Page 61</i></p> <p>“Further, as GRID and the Pilot Team stated, in comments, the proposed decision had overlooked the community of Lanare’s clearly stated preference for electrification, although it had identified their clear interest in a Community Solar project  We therefore approve the CEP Team’s proposed budget of \$2,223,253 for the communities of Alpaugh and Lanare, plus funds for CEN support and bill protection.”  <i>Decision 18-12-015 December 13, 2018, Page 64</i></p>	Verified, but this specific contribution has already been mentioned above.
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor’s Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?</b> <sup>20</sup>	Yes	Yes
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	Yes	Yes
<b>c. If so, provide name of other parties:</b> Self-Help Enterprises (“SHE”); Center on Race, Poverty & the Environment (“CRPE”); University of California Berkeley Law Clinic Environmental Law Clinic; Greenlining Institute		Verified

<sup>20</sup> The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

<p><b>d. Intervenor’s claim of non-duplication:</b>  CRPE, SHE, and Leadership Counsel for Justice and Accountability formed the Pilot Team to ensure adequate engagement and input of affected community residents to the design and ultimate selection of pilot projects in eleven communities in the San Joaquin Valley. The Pilot Team also coordinated to ensure that SB 350 Barriers Study recommendations were also met in efforts to collect data. These efforts ensured non-duplication.</p> <p>The Pilot Team drafted and filed joint comments on all matters - every set of comments in both Tracks A and B of this proceeding.</p> <p>The Pilot Team communicated extensively to coordinate strategy, share resources, in particular related to community engagement, to inform development and selection of pilot projects, and complete filings in the proceeding. Collaboration significantly minimized time spent drafting, researching, and analyzing issues. Collaboration also leveraged the Pilot Team members’ relationships in different communities. Leadership Counsel for Justice and Accountability led community engagement efforts and acted as the middle person between residents, the IOUs and the Commission staff in the following communities where funding for pilot projects were authorized: Cantua Creek, Fairmead, La Vina, and Lanare. CRPE and SHE led community engagement efforts and acted as the middle person between residents, the IOUs and the Commission staff in the following communities where funding for pilot projects were authorized: Allensworth, Alpaugh and Ducor. . While leading efforts in Cantua Creek, Fairmead, La Vina, and Lanare, Leadership Counsel supported engagement and data gathering efforts by SHE and CRPE in the other selected communities. In addition, the work required to assist the Commission in considering participating pilot community resident input, and preference in the design and selection of pilot projects, went beyond leading such efforts but also required close coordination of all Pilot Team members in each pilot community. The coordinated efforts of the Pilot Team created an efficient process and also avoided the potential for duplication. We also coordinated with CRPE and SHE in comment letter drafting and submitted joint comment letters regarding this proceeding.</p> <p>The Pilot Team focused many of its comments on the SB 350 Barriers Study and policies and practices to best reach disadvantaged community residents. This necessitated leveraging relationships with residents and making arguments for the Commission to use those relationships to improve its decision making process and ultimately create a program that would be guided by CEC and CPUC recommendations. The Pilot Team was made up of three of the only parties focused on these environmental justice issues, to implement the State’s established best practices to explore methods to put</p>	<p>Noted</p>
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new energy resources in communities that have been denied access to affordable energy for decades. The Pilot Team’s comments provided analysis, research and community derived-data which highlighted their own arguments from the perspectives of potentially affected community residents. These varying perspectives avoided duplication by creating complementary and supplemental positions and approaches to the issues that helped the Commission more thoroughly evaluate the issues.

The Greenlining Institute (“Greenlining”) was the only other party with a focus on environmental justice issues and we coordinated efforts to avoid duplication of legal arguments.

Advocacy for these environmental justice issues also blended with advocacy for traditional environmental issues, especially in regards to steps taken in the proceeding to deploy more renewable resources in the San Joaquin Valley. In this respect, the Pilot Team coordinated with Sierra Club and NRDC to ensure non-duplication of efforts, primarily where environmental and environmental justice issues intersected.

### PART III: REASONABLENESS OF REQUESTED COMPENSATION

#### A. General Claim of Reasonableness (§ 1801 and § 1806):

	CPUC Discussion
<p><b>a. Intervenor’s claim of cost reasonableness:</b></p> <p>Leadership Counsel participated in all major aspects of this proceeding, including appearing and speaking at workshops and filing comments. Leadership Counsel’s comments, filed jointly with other members of the Pilot Team, reflect detailed legal, policy, and community-based research related to the issues in the proceeding. Leadership Counsel’s participation and filings ensured the Commission had sufficient information to make a determination from the record. Importantly, Leadership Counsel, together with the other members of the Pilot Team, presented detailed information related to the consideration of community preference, that was a guiding principle of Phase II of the proceeding, and the importance of ensuring community participation in both tracks - pilots and data gathering - to secure robust analysis required of the Commission by AB 2672.</p> <p>Many of the core positions of Leadership Counsel were adopted in the Final Decision. The immediate investment in communities in the San Joaquin Valley, while quantifiable, does not alone account for the considerable future benefits of this program, including air quality and health benefits, that are hard to quantify monetarily but will significantly impact ratepayers throughout the San Joaquin Valley who breath the air and have a desire to participate in energy decisions made in their</p>	Noted

<p>community. The climate benefits of the results of Tracks A and B of Phase II of the proceeding also accrue to the ratepayers throughout the State.</p> <p>Leadership Counsel's request for fees and costs is likely to be a very small portion of the benefits that utility customers are likely to ultimately realize due to increased pilot project participation and data gathering efforts to influence replication of pilot solutions throughout the San Joaquin Valley, and in particular, the benefit to participating pilot community resident ratepayers who have faced some of the highest energy burdens in the State for decades. Beneficiaries of this pilot project – both the direct beneficiaries who participate in pilot projects and other similar disadvantaged communities that will derive benefits from programs and policies informed by the pilots will experience significant energy cost savings each year and will have access to safer and more reliable energy supplies.</p> <p>Additionally, staff rates claimed by Leadership Counsel are in the lower end of the range allowed by Resolution ALJ-352 and the Hourly Rate Table on the CPUC Intervenor Compensation Program website.</p>	
<p><b>b. Reasonableness of hours claimed:</b></p> <p>Work was delegated internally to ensure the level of experience was appropriate for the assigned tasks and reduce internal duplication of work. Leadership Counsel is not requesting hours that they found to be potentially duplicative or excessive, and performed a detailed review of hours to ensure no unnecessary duplication or excessiveness. For example, Leadership Counsel only billed for one person on Pilot Team coordination calls despite the fact that on most coordination calls, two or more staff members from Leadership Counsel contributed critical information and insights. times more than one staff person attended the call. Leadership Counsel coordinated with CRPE, the Law Clinic and SHE to prevent duplication of efforts and to promote efficiency.</p>	<p>For the reasons discussed previously in this decision, some hours are disallowed.</p> <p>Some additional hours are not reimbursable, such as travel (some travel did not meet the distance requirements); so, reductions in these areas were made accordingly. Hourly rates were also adjusted as well based on the person and year work was performed. Lastly, the time allocated to the preparation of the claim was reduced because it was excessive, and</p>

	many of the references within the claim were erroneous, making the review and approval of this claim more time consuming.
<b>c. Allocation of hours by issue:</b>  -Data Gathering Plan Including Inclusion of Additional Communities 5%  -Ensuring Consideration of Community Preference 10%  -Outreach and Education to develop community's preference and facilitate community buy-in and participation 25%  Informing substance of the pilot projects 40%  -Support for the CEN component of the pilot for successful pilots 5%  -Convening an Economic Feasibility White Paper and Workshops must take a holistic view and fully consider non-energy benefits. 5%	The allocation listed accounts for 90% of hours. The remaining 10% allocation is not assigned.

**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Attorney – Phoebe Seaton	2017	2.0	\$325	Resolution ALJ - 352	\$650.00	2.0	\$325 [1]	\$650.00
Attorney – Phoebe Seaton	2018	124.0	\$325	Resolution ALJ - 352	\$40,300.00	108.3 [14]	\$335 [2]	\$36,280.50
Advocate – Amanda Monaco	2017	8.0	\$125	Hourly Rate Chart	\$1,000.00	8.0	\$125 [3]	\$1,000.00

Advocate - Amanda Monaco	2018	31.7	\$160	Hourly Rate Chart	\$5,072.00	28.7 [9]	\$130 [4]	\$3,731.00
Advocate - Erica Fernandez Zamora	2017	0.5	\$125	Hourly Rate Chart	\$62.50	0.5	\$125	\$62.50
Advocate - Erica Fernandez Zamora	2018	21.25	\$150	Hourly Rate Chart	\$3,187.50	21.25	\$130 [16]	\$2,762.50
Advocate - Leslie Martinez	2017	2.0	\$170	Hourly Rate Chart	\$340.00	2.0	\$125 [17]	\$250.00
Advocate - Leslie Martinez	2018	225.1	\$170	Hourly Rate Chart	\$38,267.00	197.7 [15]	\$130 [17]	\$25,701.00
Advocate - Jasmene del Aguila	2018	1.5	\$150	Hourly Rate Chart	\$150.00	1.5	\$125 [18]	\$187.50
Advocate - Veronica Garibay	2018	0.5	\$200	Hourly Rate Chart	\$100.00	0.5	\$200	\$100.00
Advocate - Tim Douglas	2018	3.0	\$170	Hourly Rate Chart	\$510.00	3.0	\$170	\$510.00
Attorney - Michael Claiborne	2018	6.5	\$315	Resolution ALJ - 352	\$2,047.50	3.0 [13]	\$315 [5]	\$945.00
Subtotal: <u>\$91,686.50</u>						Subtotal: \$72,180.00		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Attorney - Phoebe Seaton	2018	4.3	\$162.5	Resolution ALJ - 352	\$698.75	4.3	\$167.50 [7]	\$720.25

Advocate - Leslie Martinez	2018	39.00	\$85	Hourly Rate Chart	\$3,145.00	0 [12]	\$65 [17]	\$0.00
Advocate - Jasmene del Aguila	2018	1.0	\$75	Hourly Rate Chart	\$112.50	0 [11]	\$62.50 [18]	\$0.00
Advocate - Erica Fernandez Zamora	2018	4.0	\$75	Hourly Rate Chart	\$300.00	0 [10]	\$65 [16]	\$0.00
Paralegal - Olivia Faz	2018	7.0	\$75	Hourly Rate Chart	\$525.00	7.0	\$75 [6]	\$525.00
<b>Subtotal: <u>\$4,781.25</u></b>						<b>Subtotal: \$1,245.25</b>		

**INTERVENOR COMPENSATION CLAIM PREPARATION \*\***

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Advocate - Leslie Martinez	2018	28.1	\$85	Hourly Rate Chart	\$2,388.50	9.84 [8]	\$65 [17]	\$639.60
Attorney - Phoebe Seaton	2018	3.4	\$162.50	Resolution ALJ - 352	\$552.50	1.19 [8]	\$167.50 [7]	\$199.33
Attorney - Michael Claiborne	2018	1.2	\$157.5	Resolution ALJ - 352	\$189.00	0.42 [8]	\$157.50	\$66.15
Operations Staff - Kaylon Hammond	2018	13.7	\$85	Hourly Rate Chart	\$1,164.50	4.8 [8]	\$85	\$408
<b>Subtotal: <u>\$4,294.50</u></b>						<b>Subtotal: \$1,313.08</b>		
<b>TOTAL REQUEST: <u>\$100,762.25</u></b>						<b>TOTAL AWARD: \$74,738.33</b>		

\*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

\*\*Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate

#### ATTORNEY INFORMATION

Attorney	Date Admitted to CA BAR <sup>21</sup>	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Phoebe Seaton	November 2005	238273	No
Michael Claiborne	November 2011	281308	No

#### C. Attachments Documenting Specific Claim and Comments on Part III: *(attachments not attached to final Decision)*

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Time Records
3	Resumes

#### D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Phoebe Seaton 2017 Rate	D.18-01-019 approved a 2017 hourly rate of \$325 for Phoebe Seaton.
[2] Phoebe Seaton 2018 Rate	D.19-09-012 approved a 2018 hourly rate of \$330 for Phoebe Seaton.
[3] Amanda Monaco 2017 Rate	D.18-01-019 approved a 2017 hourly rate of \$125 for Amanda Monaco.
[4] Amanda Monaco 2018 Rate	D.18-01-019 approved a 2017 hourly rate of \$125 for Amanda Monaco. We apply the 2018 Cost of Living Adjustment (COLA) of 2.3%, per Resolution ALJ-352, and round the nearest \$5 increment for a 2018 hourly rate of \$130.
[5] Michael Claiborne 2018 Rate	D.19-09-012 approved a 2018 hourly rate of \$315 for Michael Claiborne.

<sup>21</sup> This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

[6] Olivia Faz 2018 Rate	D.19-09-012 approved a 2018 hourly rate of \$150 for Olivia Faz.
[7] Phoebe Seaton 2018 Travel and Claim Preparation Rate	D.19-09-012 approved a 2018 hourly rate of \$330 for Phoebe Seaton, half of which is \$167.50.
[8] Intervenor Compensation Claim Preparation Generally	Intervenor Compensation Claim Preparation hours are reduced by 65 percent for all LCJA representatives given the total number of hours claimed – 46.4 – was excessive, and many of the references within the claim were erroneous, making the review and approval of this claim time consuming.
[9] Amanda Monaco 2018 Disallowances	Three hours of 2018 time for Amanda Monaco are disallowed for the reasons previously stated in this decision.
[10] Erica Fernandez Zamora 2018 Disallowances	Four hours of 2018 travel time for Amanda Monaco are disallowed for the reasons previously stated in this decision.
[11] Jasmene Del Aguila 2018 Disallowances	One hour of 2018 travel time for Jasmene Del Aguila is disallowed for the reasons previously stated in this decision.
[12] Leslie Martinez 2018 Travel Disallowances	39 hours of 2018 travel time for Leslie Martinez are disallowed for the reasons previously stated in this decision.
[13] Michael Claiborne 2018 Disallowances	3.5 hours of 2018 time for Michael Claiborne are disallowed for the reasons previously stated in this decision.
[14] Phoebe Seaton 2018 Disallowances	15.4 hours of 2018 time for Phoebe Seaton are disallowed for the reasons previously stated in this decision.
[15] Leslie Martinez 2018 Disallowances	26.4 hours of 2018 time for Leslie Martinez are disallowed for the reasons previously stated in this decision.

[16] Erica Fernandez Zamora 2018 Rate	This decision adopts the 2017 rate of \$125 proposed by LCJA for Erica Fernandez Zamora. This rate is multiplied by the 2.3% COLA adopted by Resolution ALJ-352 and rounded to the nearest \$5 increment, leading to a 2018 rate of \$130 for Erica Fernandez Zamora.
[17] Leslie Martinez Hourly Rate	<p>This decision adopts a 2017 hourly rate of \$125 for Leslie Martinez. This is based on the resume submitted indicating that Martinez had less than two years' experience as a policy advocate at the time of her 2017 work for LCJA.</p> <p>This rate is multiplied by the 2.3% COLA adopted by Resolution ALJ-352 and rounded to the nearest \$5 increment, leading to a 2018 rate of \$130 for Leslie Martinez.</p> <p>Half of the 2018 rate for claim preparation is \$65.</p>
[18] Jasmene del Aguila Hourly Rate	This decision adopts a 2018 hourly rate of \$125 for Jasmene del Aguila. This is based on the resume submitted indicating that del Aguila had less than two years' experience as a policy advocate at the time of her 2018 work for LCJA.

**PART IV: OPPOSITIONS AND COMMENTS**

**Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))**

<b>A. Opposition: Did any party oppose the Claim?</b>	Yes
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If so:

<b>Party</b>	<b>Reason for Opposition</b>	<b>CPUC Discussion</b>
Public Advocates Office	<p>1. The Pilot Team organizations do not appear eligible for intervenor compensation because they advocated for compensated roles in this proceeding;</p> <p>2. The Pilot Team's compensation claims lack adequate specificity to determine whether they comply with the intervenor compensation statute; and</p> <p>3. The Commission should ensure that intervenors account for hours accurately and are compensated appropriately.</p>	<p>ALJ Rulings in R.15-03-010 have identified that LCJA has satisfied the eligibility requirements of Pub. Util. Code § 1804(a) and is eligible for intervenor compensation in this proceeding.</p> <p>With respect to this specific claim, adjustments to the claimed hours and rates have been made as discussed above.</p>

**(END OF APPENDIX A)**